

10/12/01

A

# GRAYCARY. TECHNOLOGY'S LEGAL EDGE<sup>SM</sup>

4365 Executive Drive, Suite 1100  
San Diego, CA 92121-2133  
www.graycary.com  
O] 858-677-1456  
F] 858-677-1465

October 10, 2001

**Attorney Docket No.: GENE1320-2**  
Parent Application No. 09/453,610  
Parent Filing Date: December 3, 1999

11050 U.S. PRO  
09/974882  
10/10/01

**BOX PATENT APPLICATION**  
Commissioner for Patents  
Washington, D.C. 20231

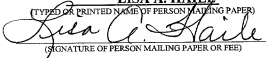
Presented for filing is a new **CONTINUATION** patent application of:

**Applicants: Edward M. Nolan, Dietmar P. Rabussay and Gunter A. Hofmann**  
**Title: FACS ASSISTED METHODS FOR INTRODUCING INDIVIDUAL CHROMOSOMES INTO CELLS (as amended)**

The prior application is assigned of record to GENETRONICS, INC., by virtue of an assignment submitted to the Patent and Trademark Office for recording on February 23, 2000, at Reel 010564, Frame 0495.

Enclosed are the following papers, including all those required to receive a filing date under 37 CFR § 1.53(b):

	<u>Pages</u>
Specification	14
Claims	4
Abstract	1
Copy of executed Declaration from parent	3
Drawings - informal	3

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"EXPRESS MAIL" LABEL NUMBER <b>EL617035901US</b>
DATE OF DEPOSIT <b>October 10, 2001</b>
I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER OF PATENTS, BOX PATENT APPLICATION, WASHINGTON, D C 20231
<b>LISA A. HAILE</b> (TYPED OR PRINTED NAME OF PERSON MAILING PAPER)
 (SIGNATURE OF PERSON MAILING PAPER OR FEE)

**Attorney Docket No.: GENE1320-2**

Parent Application No. 09/453,610

Parent Filing Date: December 3, 1999

**BOX PATENT APPLICATION**

October 10, 2001

Page Two

Enclosures:

- A Copy of the Petition for Three (3) Month Extension of Time for parent application (U.S. Application Serial No. 09/453,610, filed December 3, 1999) (2 pages);
- Preliminary Amendment – attached with Exhibit A (6 pages);
- Information Disclosure Statement and Copy of Form PTO 1449 (filed in the parent application) (3 pages);
- Information Disclosure Statement from International Search Report, copy of Form PTO 1449, and copy of International Search Report (filed in the parent application) (~~12 pages~~); (9pgs.);
- Copy of executed Power of Attorney By Assignee (2 pages);
- Copy of USPTO Notice of Recordation of Assignment, Copy of executed Recordation Form Cover Sheet and Assignment and By Inventors (7 pages);
- Check No. 491250 in the amount of \$370.00; and
- Return Receipt Postcard.

This application is a **CONTINUATION** and claims the benefit of priority under 35 USC § 120 of U.S. Application Serial No. 09/453,610, filed December 3, 1999, now pending, which claims priority under 35 U.S.C. § 119(e) of Provisional Application Serial No. 60/110,950, filed December 4, 1998. The disclosure of the prior application is considered part of and is incorporated by reference in the disclosure of this application.

Preliminarily, on page 1 of the specification, before line 1, insert:

--This application is a continuation and claims the benefit of priority under 35 U.S.C. § 120 of U.S. Application Serial No. 09/453,610, filed December 3, 1999, now pending, which claims priority under 35 U.S.C. § 119(e) of Provisional Application Serial No. 60/110,950, filed December 4, 1998, each of which is incorporated by reference in the disclosure of this application.--

**GRAY CARY WARE & FREIDENRICH LLP**

**Attorney Docket No.: GENE1320-2**

Parent Application No. 09/453,610

Parent Filing Date: December 3, 1999

**BOX PATENT APPLICATION**

October 10, 2001

Page Three

Pursuant to 37 C.F.R. § 1.27, applicants claim **SMALL** entity status. Small entity status established in the parent application is still proper. A verified statement claiming small entity status is not required.

	Number Filed			Number Extra		Rate		Fee	
						Large Entity	Small Entity	Large Entity	SMALL Entity
Total Claims	3	-20	=	0	X	\$18	\$09	=	\$--
Independent Claims	1	-3	=	0	X	\$80	\$40	=	\$--
Multiple Dependent Claims Presented: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						\$270	\$135	=	\$--
BASIC FEE								\$740.00	\$370.00
TOTAL FEE								\$	\$370.00

Enclosed is Check No. 491250 in the amount of \$370.00 for the filing fee. The Commissioner is hereby authorized to charge any additional fees associated with the filing submitted herewith, or credit any overpayment, to Deposit Account No. 50-1355. A duplicate copy of this Transmittal is enclosed.

If this application is found to be INCOMPLETE, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 677-1456.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

GRAY CARY WARE & FREIDENRICH LLP

Attorney Docket No.: GENE1320-2

Parent Application No. 09/453,610

Parent Filing Date: December 3, 1999

**BOX PATENT APPLICATION**

October 10, 2001

Page Four

Please send all correspondence to:

Lisa A. Haile, J.D., Ph.D.

GRAY CARY WARE & FREIDENRICH LLP

4365 Executive Drive, Suite 1600


San Diego, CA 92121-2189

Telephone: (858) 677-1456

Facsimile: (858) 677-1465

Very truly yours,

GRAY CARY WARE & FREIDENRICH LLP

  
\_\_\_\_\_  
Lisa A. Haile, J.D., Ph.D.  
Registration No.

October 10, 2001

Date

Enclosures

Gray Cary/GT/6260489.1  
104648-160132